

# **EXHIBIT 13**

U.S. World Politics HealthWatch MoneyWatch Entertainment Crime Sports Essentials

U.S.

## Texas says no inmates have died due to stifling heat in its prisons since 2012. Some data may suggest otherwise.

July 19, 2023 / 7:10 AM EDT / CBS/AP

*Austin, Texas* – A heat wave that has consistently pushed temperatures well above 100 degrees across much of Texas this summer had family members of inmates on Tuesday calling for lawmakers to ensure that all of the state's prisons are fully air conditioned.

"They're cooking our inmates in the Texas prison system," said Tona Southards Naranjo, who believes the death last month of her son, Jon Southards, was caused by excessive heat in his prison, the Estelle Unit in Huntsville. Naranjo was one of more than 60 people who attended a rally outside the Texas Capitol on Tuesday.



Family members of inmates gathered outside the Texas Capitol on July 18, 2023, in Austin.



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...lack of air conditioning in the nation's largest prison system, alleging temperatures that often go past 120 degrees Fahrenheit (48.9 degrees Celsius) inside Texas prisons in the

summer have been responsible for hundreds of inmate deaths in recent years.

Only about 30% of Texas' 100 prison units are fully air conditioned, with the rest having partial or no air conditioning. Texas currently has more than 128,000 inmates.

However, the Texas Department of Criminal Justice, or TDCJ, says there have been no heat-related deaths in the state's prisons since 2012. There were 17 deaths from 2000 to 2012, with 10 in 2011 alone when Texas experienced a record heat wave, according to TDCJ.

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But a November study by researchers at Brown, Boston and Harvard universities found that 13%, or 271, of the deaths that happened in Texas prisons without universal air conditioning between 2001 and 2019 "may be attributable to extreme heat days."

"These findings suggest that an air conditioning policy for Texas prisons may be an important part of protecting the health of one of our most vulnerable populations," the study's authors wrote.



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prison death reports and weather data showed that, "This year, reported heart attacks or cardiac events in uncooled prisons where at least another 14 have died of unknown causes in extreme heat,

in the 23 deaths," the newspaper continued. "TDCJ inaccurate to label any death as heat-related before an





A thermometer hangs in a make-shift prison cell during a rally on the steps of the Texas Capitol on July 18, 2023, in Austin.

ERIC GAY / AP

Officials are still investigating the cause of Jon Southards' death, Hernandez told The Associated Press. At least eight other inmate deaths in recent weeks that advocates allege are heat-related were either due to cardiac arrest or other medical conditions, Hernandez said. The cause of some are still under investigation.

But Naranjo said her son's body was covered in a heat rash. The last time she talked with him, just hours before his death on June 28, the 36-year-old, who had asthma, complained about not being able to breathe in his cell's stifling air. He also complained about having to drink water out of his toilet because it was colder than the water from his sink.

"As a mother, this is crushing," she said.



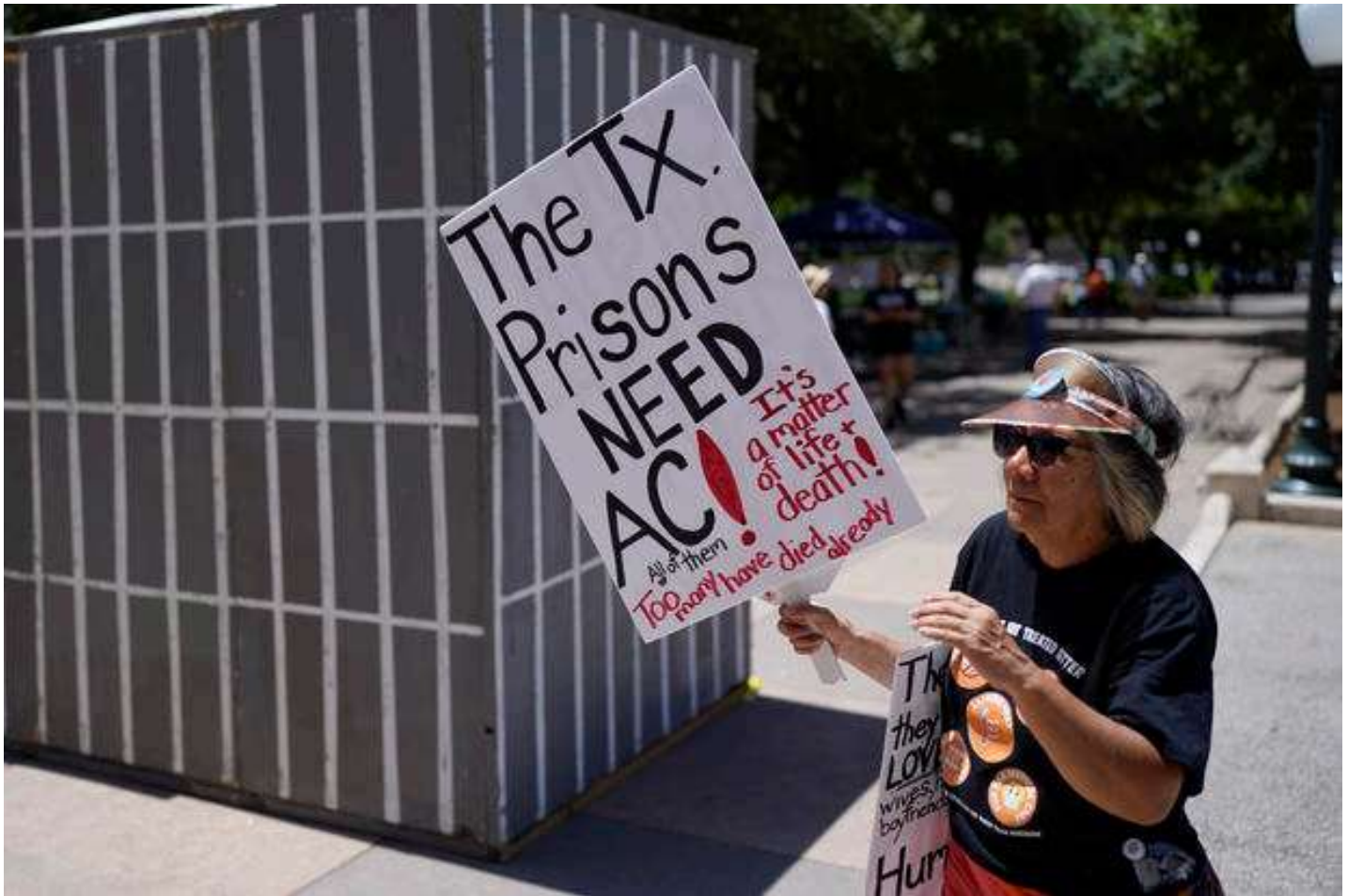
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al air conditioning in state prisons, according to a report last  
d Recovery Center and Texas Prisons Community Advocates, an

lawmakers who unsuccessfully tried getting bills passed in the  
ave required prisons to be fully air conditioned.

This is about survival," Sherman said Tuesday.



An advocate for cooling Texas prisons walks past a makeshift cell during a rally on the steps of the Texas Capitol on July 18, 2023, in Austin.

ERIC GAY / AP

During this year's regular legislative session, which ended in May, the Texas House had proposed more than \$343 million for the next two years to install air conditioning in state prisons and pay for operating expenses and maintenance. But the Senate declined to provide any funding.

The lack of funding took place as Texas had a more than \$32 billion budget surplus to work with during this year's legislative session.



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and terrible conditions in his hot prison, the Stevenson Unit in

is suffocating him or sitting on his chest," Perez said.

Hernandez declined to comment on criticism of TDCJ from Tuesday's rally.

Rally participants asked that Republican Gov. Greg Abbott call a special legislative session to allocate funding for prison air conditioning.

A spokesperson for Abbott didn't immediately return an email seeking comment.

In 2017, U.S. District Judge Keith Ellison in Houston said the nation's largest prison system was "deliberately indifferent" to heat risks and subjected inmates to "a substantial risk of serious injury or death."

Ellison's comments came as part of a settlement of a lawsuit filed by Texas inmates at one unit.

Advocates in other states are also trying to bring attention to the issue.

In Las Vegas, where temperatures have reached 116 degrees in a historic heat wave, members of prisoners' rights group Return Strong stood outside a transitional housing center on Tuesday calling attention to the effect extreme heat has on incarcerated people, [CBS Las Vegas affiliate KLAS-TV reported](#). In Nevada, air conditioning in prisons can be spotty and prone to jams, Return Strong's Executive Director Jodi Hocking said in a phone interview with the AP..

Hocking said people don't really think about times when it's over 115 degrees and inmates are sitting in a cell and the air conditioning only goes to some sections "and it never reaches where you live."

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